



# Department of Defense INSTRUCTION

**NUMBER** 2200.01  
February 16, 2007

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USD(P&R)

**SUBJECT:** Combating Trafficking in Persons (CTIP)

- References:**
- (a) Under Secretary of Defense for Policy Memorandum, "Trafficking in Persons," January 26, 2004 (hereby canceled)
  - (b) Deputy Secretary of Defense Memorandum, "Combating Trafficking in Persons in the Department of Defense," January 30, 2004 (hereby canceled)
  - (c) Secretary of Defense Memorandum, "Combating Trafficking in Persons," September 16, 2004 (hereby canceled)
  - (d) Under Secretary of Defense for Personnel and Readiness Memorandum, "Awareness Training for Combating Trafficking in Persons," November 17, 2004 (hereby canceled)
  - (e) through (j), see Enclosure 1

## 1. PURPOSE

This Instruction:

1.1. Reissues References (a) through (d) as an Instruction in accordance with the guidance in Acting Deputy Secretary of Defense Memorandum (Reference (e)) and the authority in DoD Directive 5124.02 (Reference (f)).

1.2. Establishes DoD policy on CTIP and assigns responsibilities.

1.3. Implements National Security Presidential Directive 22 (Reference (g)).

## 2. APPLICABILITY AND SCOPE

This Instruction applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense (IG DoD), the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

### 3. DEFINITIONS

The following terms used in this Instruction are defined in section 7102 of title 22 United States Code (U.S.C.) (Reference (h)). The DoD Components shall uniformly apply these terms in issuing implementing instructions and regulations.

- 3.1. Coercion.
- 3.2. Commercial Sex Act.
- 3.3. Debt Bondage.
- 3.4. Involuntary Servitude.
- 3.5. Severe Forms of Trafficking in Persons (TIP).
- 3.6. Sex Trafficking.

### 4. POLICY

It is DoD policy to:

- 4.1. Oppose prostitution, forced labor, and any related activities that may contribute to the phenomenon of TIP as inherently harmful and dehumanizing (Reference (g)). TIP is a violation of United States law and internationally recognized human rights and is incompatible with DoD core values.
- 4.2. Deter activities of DoD Service members, civilian employees, indirect hires, contract personnel, and command-sponsored dependents that would facilitate or support TIP, domestically and overseas.
- 4.3. Educate all Service members and DoD civilians annually on the worldwide trafficking menace, national TIP policy, overseas theater TIP policy, and attendant personal responsibilities consistent with DoD core values and ethical standards.
- 4.4. Increase efforts by commanders and military police worldwide, within their authorities, to pursue indicators of TIP in commercial establishments patronized by DoD personnel, place offending establishments off-limits, and provide support to host-country authorities involved in the battle against TIP. Commanders and military police should meet periodically with host-nation non-governmental organizations (NGOs) to review TIP-related issues and prevention initiatives.

4.5. Pursuant to sections 3261 and 3267(1)(A) of title 18 U.S.C. (Reference (i)), incorporate provisions in service contracts that support the DoD mission overseas to prohibit DoD contractors, other Federal agency or provisional authority contractors, subcontractors at all tiers, and their employees from conducting activities that support or promote TIP; impose suitable penalties on those who fail to abide by U.S. law, and on those who fail to monitor their employees' actions for compliance with U.S. law.

4.6. Incorporate anti-TIP and TIP-protection measures for vulnerable populations, in particular for women and children, into post-conflict and humanitarian emergency assistance programs (section 7104(h) of Reference (h)).

4.7. Establish an OSD TIP Coordinating Council to review issues and implement DoD CTIP program improvements.

4.8. Evaluate CTIP efforts as part of the ongoing, systemic evaluation and inspection program; involve Inspector General (IG) organizations in this evaluation and inspection program.

## 5. RESPONSIBILITIES

5.1. The Under Secretary of Defense for Personnel and Readiness (USD(P&R)) shall:

5.1.1. Serve as the DoD CTIP Principal Staff Assistant (PSA) to the Secretary and Deputy Secretary of Defense; develop overall policy and provide guidance for the DoD CTIP program.

5.1.2. Establish and Oversee the OSD CTIP Coordinating Council.

5.1.3. Represent the Department on the President's Interagency Task Force on CTIP (section 7103(b) of Reference (h)), as necessary.

5.1.4. Represent the Department on the TIP Senior Policy Operating Group (SPOG) (section 7103(f) of Reference (h)).

5.1.5. Collaborate with intergovernmental organizations that address TIP (e.g., the United Nations, the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe, and the International Criminal Police Organization) and serve as the DoD liaison to their committees and advisory groups, as appropriate.

5.1.6. Collaborate with U.S. Federal and State agencies that address TIP and serve as the DoD liaison to their committees and advisory groups, as appropriate.

5.1.7. Develop and provide basic CTIP awareness training modules for use by the DoD Components.

5.1.8. Collect data as necessary on the participation of DoD personnel in TIP training; DoD contractor adherence to DoD CTIP policy consistent with parts 212, 222, and 252 of title 48 Code of Federal Regulations (Reference (j)); and disposition of criminal cases on DoD personnel convicted of TIP or TIP-related offenses.

5.1.9. In coordination with the Military Services, establish a metric to track TIP awareness training and understanding of TIP-related policy and programs. This metric shall track the total number of DoD personnel assigned and the total number trained, broken out by Service members, DoD civilians, and DoD contractors. The USD(P&R) will use this data to monitor compliance with the annual CTIP awareness training requirement.

5.1.10. Monitor compliance with this Instruction.

5.2. The Under Secretary of Defense for Acquisition, Technology, and Logistics shall:

5.2.1. Develop the Defense Federal Acquisition Regulation Supplement (DFARS) provision for CTIP for contracts performed overseas in support of the Department of Defense.

5.2.2. Provide advice and assistance to the USD(P&R) on Federal Acquisition Regulations and DFARS issues related to U.S. Government and DoD CTIP programs.

5.3. The Deputy Assistant Secretary of Defense for Stability, Security, Transition, and Reconstruction, under the authority, direction, and control of the Under Secretary of Defense for Policy (USD(P)), shall implement the DoD policy established in paragraph 4.6. for integration of CTIP planning and programs into DoD post-conflict policy and plans.

5.4. The Deputy Assistant Secretary of Defense for Counter Narcotics, Counter Proliferation, and Global Threats, under the authority, direction, and control of the USD(P), shall:

5.4.1. Represent the Department in the annual U.S. Government TIP sanction review process.

5.4.2. Prepare and coordinate, as required, the review and approval of:

5.4.2.1. DoD national interest waivers of proposed Department of State sanctions (e.g., on Foreign Military Sales or other Defense Security Cooperation Agency programs).

5.4.2.2. Brief the justification for DoD waivers to the Department of State Office to Monitor and Combat Trafficking in Persons, Office of the Under Secretary of State for Democracy and Global Affairs.

5.4.2.3. Support the National Security Council process of adjudicating DoD requests for waivers in preparation for the annual Presidential TIP sanctions determination.

5.5. The Assistant Secretary of Defense for Public Affairs shall represent the Department on the TIP SPOG Public Affairs Subcommittee as necessary.

5.6. The General Counsel of the Department of Defense shall provide advice and assistance to the DoD CTIP PSA on all TIP legal matters, including reviewing and coordinating on all proposed TIP policies, regulations, directives, and instructions, and on all proposed exceptions to DoD CTIP policy.

5.7. The IG DoD shall:

5.7.1. Conduct periodic evaluations of the DoD CTIP program.

5.7.2. Maintain the DoD TIP Hotline, as part of the Defense Hotline.

5.8. The Heads of the DoD Components, in addition to performing the responsibilities assigned them separately in this section, shall:

5.8.1. Ensure compliance with this Instruction; establish policies and procedures to implement the DoD CTIP program within their cognizance.

5.8.2. Designate a Component CTIP office of primary responsibility and CTIP program officer.

5.8.3. Conduct an annual CTIP awareness training program for all members of their Components in accordance with DoD TIP policy established in paragraph 4.3., employing training products provided by the USD(P&R) according to paragraph 5.1.7.

5.8.4. Conduct periodic evaluations of CTIP awareness training; periodically involve the Component IGs in the conduct of these evaluations and provide the results of evaluations to the Component IGs.

5.8.5. Provide CTIP program data, as required, to the USD(P&R), according to paragraph 5.1.8.

5.9. The Secretaries of the Military Departments shall:

5.9.1. Include CTIP training in Service institutional leadership training curricula for both officers and enlisted Service members.

5.9.2. Integrate CTIP-related training into the programs of instruction at all power projection platforms, mobilization stations, and other similar pre-deployment training venues.

5.9.3. Establish a memorandum of understanding with local law enforcement and NGOs that work with victims of TIP and prostitution at or near overseas military installations to provide support to the DoD CTIP program.

5.9.4. Assist the USD(P&R) to establish a metric to track TIP awareness training and understanding, according to paragraph 5.1.9.

5.10. The Secretary of the Army shall include CTIP training in the curriculum of the U.S. Army's Peacekeeping and Stability Operations Institute.

5.11. The Chairman of the Joint Chiefs of Staff shall:

5.11.1. Assess CTIP as part of the overall force planning function for any force deployment decision, including establishment of new DoD bases overseas. Annually reassess the CTIP posture of deployed forces.

5.11.2. Review the Combatant Commanders' joint plans, deployment orders, and other relevant documents for CTIP considerations; monitor the Combatant Commanders' post-conflict plans and programs for inclusion of CTIP considerations.

5.11.3. Monitor implementation of the policies in this Instruction and in related implementing instructions during military operations.

5.11.4. Maintain CTIP training modules in the Joint Knowledge Development and Distribution Capability; include CTIP training in the joint institutional training curriculum.

5.12. The Commanders of the Combatant Commands, through the Chairman of the Joint Chiefs of Staff, shall:

5.12.1. Ensure joint operational plans, deployment orders, and other relevant documents establish theater-level requirements for CTIP within their respective areas of operation.

5.12.2. Develop CTIP policy and program guidance unique to each Combatant Command, supplementing DoD CTIP training to include unique cultural and legal considerations for their respective areas of responsibility.

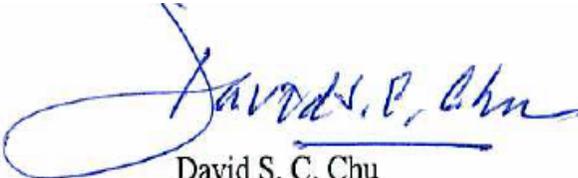
5.12.3. Provide oversight to theater and country TIP awareness training provided by subordinate component commanders.

5.12.4. Provide subordinate component commanders with TIP intelligence and information pertinent to ongoing theater and country TIP awareness training.

6. EFFECTIVE DATE

6.1. This Instruction is effective immediately.

6.2. The DoD Components must satisfy their bargaining obligations prior to implementing any changes generated by this Instruction.



David S. C. Chu  
Under Secretary of Defense for  
Personnel and Readiness

Enclosures - 1

El. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) Acting Deputy Secretary of Defense Memorandum, “DoD Directives Review – Phase II,” July 13, 2005
- (f) DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” October 17, 2006
- (g) National Security Presidential Directive 22, “Trafficking in Persons,” December 16, 2002
- (h) Sections 7102, 7103(b), 7103(f), and 7104(h) of title 22, United States Code
- (i) Sections 3261 and 3267(1)(A) of title 18, United States Code
- (j) Title 48, Code of Federal Regulations, parts 212, 222, and 252, current edition